



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

SEP 30 2013

Giselle Waters  
2110 Haste St. #510  
Berkeley, CA 94704

Re: Freedom of Information Act Request EPA-R9-2012-00848

Dear Ms. Waters:

This is in response to your Freedom of Information Act request regarding:

*documents pertaining to the Chevron Oil Refinery fire incident in Richmond, California in August, 2012, including information on the causes and the after effects on the environment and surrounding area.*

EPA is prepared to mail you electronic copies of some of the documents responsive to your request. Please send us an email confirmation that you still receive mail at the Berkeley address listed above, or please send us an updated physical address. Your email should be directed to [Wesling.mary@epa.gov](mailto:Wesling.mary@epa.gov). We will send the documents when we receive this confirmation or update regarding your physical address.

We also wish to advise you that EPA is still in the process of evaluating whether emails which may be responsive to your request are subject to exemptions from disclosure under 5 U.S.C. § 552(b). We are making every effort to evaluate these records and complete our response to you by November 30, 2013. We regret the inconvenience this may have caused.

However, pursuant to 40 C.F.R. § 2.204(d)(1), EPA is initially denying your request for those documents which are claimed by a third party or parties to be confidential business information (CBI), and may contain trade secrets or commercial or financial information which is exempt from disclosure under 5 U.S.C. § 552(b)(4). We have consulted with the affected third party in connection with its business confidentiality claims covering these records, and the Office of Regional Counsel will issue a final confidentiality determination.

With regard to the documents subject to CBI claims, you may appeal this initial denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The

appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed and includes the assigned FOIA request number EPA-R9-2012-000848. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Assistant Regional Counsel Joshua Wirtschafter at 415-972-3912 should you have any questions concerning this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique Manzanilla", written over a horizontal line.

Enrique Manzanilla, Director  
Superfund Division